

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

UNITED STATES OF AMERICA

vs.

(1) MICHAEL J. BADGETT

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CRIMINAL NO: SA:17-CR-00031(1)-XR

ORDER SETTING SENTENCING

It is hereby **ORDERED** that the entitled and numbered cause is set for **SENTENCING** in Courtroom 3 on the First Floor of the John H. Wood, Jr. United States Courthouse, 655 East Cesar E. Chavez Boulevard, San Antonio, TX, on **Wednesday, May 03, 2017 at 01:30 PM.**

It is **FURTHER ORDERED** that Clerk of the Court shall send a copy of this order to counsel for the defendant, U. S. Attorney, U. S. Probation, and U. S. Pretrial Services. Counsel for the defendant shall notify the defendant of this setting.

NOTICE TO COUNSEL

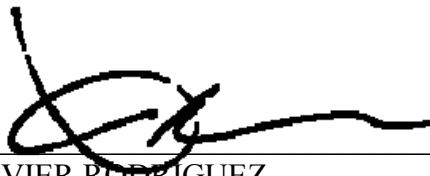
In preparation for the Presentence Investigation Report or Guideline Worksheet, the presentence interview shall take place five (5) days immediately following the defendant's plea of guilty or finding of guilt by the Court or a Jury. The probation officer shall notify counsel of the date and time the interview will take place. If counsel and defendant are unable to make the scheduled interview, counsel shall **immediately** notify the probation officer to reschedule, but in no event shall the interview take place later than ten (10) business days following the defendant's plea of guilty or finding of guilt by the Court or a Jury.

Counsel are reminded that the objection(s) to the Presentence Investigation Report

or Guideline Worksheet **must** be in writing, including objections to material information, sentencing guideline ranges, and policy statements contained in or omitted from the report. The objection(s) shall be submitted to the probation officer with a copy to opposing counsel.

If the probation officer does not modify the Presentence Investigation Report or Guideline Worksheet and the objection(s) remain unresolved, counsel shall file a Sentencing Memorandum outlining the unresolved objection(s), any authorities relied upon and sentencing recommendations for the Court's consideration. As part of the Sentencing Memorandum, counsel may submit exhibits/letters. The Sentencing Memorandum **must** be filed with the Clerk's Office at least five (5) days prior to any sentencing hearing. Counsel shall **immediately** serve a copy of the Sentencing Memorandum to the probation officer and opposing counsel by e-mail, facsimile, or hand delivery.

Signed this 1st day of February, 2017.

A handwritten signature in black ink, appearing to read 'Xavier Rodriguez', is written over a horizontal line.

XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE